

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Matthew Jon Wien,

Petitioner,
v.

ORDER
Civil No. 06-3306 (MJD/JJG)

State of Minnesota,

Defendant.

The above-entitled matter comes before the Court upon Petitioner's objections to the Report and Recommendation of United States Magistrate Judge Jeanne J. Graham dated September 25, 2006.

Pursuant to statute, the Court has conducted a de novo review of the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based on that review the Court ADOPTS the Report and Recommendation dated September 25, 2006.

IT IS HEREBY ORDERED that:

1. Petitioner's Application for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 [Doc. Nos. 1 and 4] is DENIED.
2. Petitioner's Application to Proceed *In Forma Pauperis* [Doc Nos. 2 and 5] is DENIED.
3. This matter is dismissed with prejudice.

Date: January 3, 2007

s / Michael J. Davis
Michael J. Davis
United States District Court